

AMENDED IN ASSEMBLY MAY 6, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1394

Introduced by Assembly Member Levine

February 21, 2003

An act to amend Section 44295 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1394, as amended, Levine. Air pollution: Carl Moyer Memorial Air Quality Standards Attainment Program: annual report.

~~(1) Existing~~

Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, administered by the State Air Resources Board. Under the program, the state board is authorized to make grants for the purchase of low-emission, heavy-duty engines for vehicles, equipment, vessels, and locomotives, and authorizes the administration of the program to be delegated to air pollution control districts and air quality management districts. Existing law requires the state board, commencing March 1, 2001, and each March 1 thereafter ~~through~~, to March 1, 2003, *inclusive*, to publish a program report in cooperation with participating districts and assisted by the State Energy Resources Conservation and Development Commission, and to provide that report to the Legislature.

This bill would extend the program report requirements to March 1, 2006, inclusive.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) *It is the intent of the Legislature to ensure*
2 *that the Carl Moyer Air Quality Standards Attainment Program*
3 *continues to be an effective means of reducing diesel exhaust*
4 *emissions.*

5 (b) *It is the further intent of the Legislature to analyze that*
6 *program, including recent changes to emission standards, to*
7 *ensure that the program continues to support local air pollution*
8 *control districts that wish to encourage use of a variety of fuels and*
9 *emission reduction technologies to achieve reductions in diesel*
10 *exhaust emissions.*

11 SEC. 2. Section 44295 of the Health and Safety Code is
12 amended to read:

13 44295. (a) Not later than March 1, 2001, and each March 1
14 thereafter, to March 1, 2006, inclusive, the state board in
15 cooperation with participating districts, and assisted by the
16 commission with regard to projects funded from the Infrastructure
17 Demonstration Program and the Advanced Technology Account,
18 shall publish, and notwithstanding Section 7550.5 of the
19 Government Code, provide the Legislature with, a program report.
20 The report shall describe each covered vehicle project funded by
21 the state board and by districts that have received funds pursuant
22 to this chapter, the amount granted for the project, and the emission
23 reductions obtained and the cost-effectiveness of the project. For
24 projects funded from the Advanced Technology Account, the
25 report shall describe the technical objectives and accomplishments
26 of the project, and the progress of the technology toward
27 commercialization. For projects funded from the Infrastructure
28 Demonstration Program, the report shall describe whether the
29 funding has been critical to supplying qualifying fuel and
30 supporting vehicles that reduce NO_x emissions in California, shall
31 include a discussion of demonstration program cost-effectiveness
32 pursuant to subdivision (j) of Section 44284, and shall make a
33 finding as to the need for additional moneys to be appropriated
34 from the fund to the Infrastructure Demonstration Program in
35 order to improve the ability of the program to achieve its goals.

36 (b) The report shall detail funds received, funds granted, funds
37 reserved for grants based on project approvals, district matching
38 funds and the sources of those funds, and any recommended

1 transfer of funds between accounts, and shall estimate future
2 demand for grant funds.

3 (c) The report shall describe the overall effectiveness of the
4 program in delivering the emission reductions required by air
5 quality plans, including rate of progress plans and milestone and
6 conformity tests, as well as attainment and maintenance plans. The
7 report shall evaluate the effectiveness of the program in soliciting
8 and evaluating project applications, providing awards in a timely
9 manner, and monitoring project implementation. The report shall
10 describe any adjustments made to the project selection criteria and
11 recommend any further needed changes or adjustments to the grant
12 program, including changes in grant award criteria, administrative
13 procedures, or statutory provisions that would enhance the
14 effectiveness and efficiency of the grant program.

15 (d) The state board shall request comments and hold public
16 meetings on each draft annual report to obtain public comments.
17 The state board shall consider and respond to all significant
18 comments received in producing a final annual report.

19 (e) A final annual report shall be published within 90 days from
20 the date of publication of each draft annual report.

